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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,732	12/27/2006	Venkatasubramanian Radhakrishnan Tarur	USV	4931
22925 7590 02/17/2009 PHARMACEUTICAL PATENT ATTORNEYS, LLC 55 MADISON AVENUE 4TH FLOOR MORRISTOWN, NJ 07960-7397				
			EXAMINER FIERRO, ALICIA LORETTA	
			ART UNIT 4121	PAPER NUMBER
			NOTIFICATION DATE 02/17/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10568732	12/27/2006	TARUR ET AL.	USV

EXAMINER

ALICIA L. FIERRO

ART UNIT	PAPER
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4121 20090210

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

This correspondence is supplemental to the Non-Final Office Action dated February 4, 2009. In response to the telephone message from Mark Pohl, the Examiner notes that although no IDS was submitted with the application, some prior art documents listed on the ISR were considered in the examination of this application. The following references cited in the Search Report have been considered, but will not be listed on any patent resulting from this application because they were not provided on a separate list in compliance with 37 CFR 1.98(a)(1): WO02/59089 A (F. Hoffman-La Roche Ag), 1 August 2002 (2002-08-01); Heald, Sarah L. "Synthesis of iodine-125 labeled (+/-)-15-(4-azidobenzyl)carazolol: A potent beta-adrenergic photoaffinity probe" J. Med. Chem. vol. 26, no. 6, 1983, pages 832-838; Tejani-Butt, Shanaz M. et al. "Synthesis and beta-adrenergic receptor blocking potency of 1-(substituted amino)-3-(4-indoloxyl)propan-2-ols" J. Med. Chem. vol. 29, no. 8, 1986, pages 1524-1527. In order to have the references printed on such resulting patent, a separate listing, preferably on a PTO/SB/08A and 08B form, must be filed within the set period for reply to this Office action.

The following references in the Search Report were not considered to be an information disclosure statement (IDS) complying with 37 CFR 1.98. 37 CFR 1.98(a)(2) requires a legible copy of: (1) each foreign patent; (2) each publication or that portion which caused it to be listed; (3) for each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion, unless the cited pending U.S. application is stored in the Image File Wrapper (IFW) system; and (4) all other information, or that portion which caused it to be listed. In addition, each IDS must include a list of all patents, publications, applications, or other information submitted for consideration by the Office (see 37 CFR 1.98(a)(1) and (b)), and MPEP § 609.04(a), subsection I, states, "the list ... must be submitted on a separate paper." Therefore, the following references cited in the Search Report have not been considered: EP 0 127 099 A; FR 2 196 165 A; EP 0 004 920 A. Applicant is advised that the date of submission of any item of information or any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the IDS, including all "statement" requirements of 37 CFR 1.97(c). See MPEP § 609.05(a).

It was determined that consideration of the above prior art documents does not necessitate amendment of the Office Action dated February 4, 2009.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALICIA L. FIERRO whose telephone number is (571)270-7683. The examiner can normally be reached on Monday - Thursday 6:00-4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Nolan can be reached on (571)272-0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Patrick J. Nolan/
Supervisory Patent Examiner, Art Unit 4121

/A. L. F./
Examiner, Art Unit 4121